United Nations S/2006/645

Security Council

Distr.: General
14 August 2006

Original: English

Letter dated 10 August 2006 from the Secretary-General addressed to the President of the Security Council

I am writing to you in order to provide an update to members of the Security Council on major developments which have taken place subsequent to the finalization of my recent report to the Council on Darfur (S/2006/591), issued on 28 July 2006.

In the past few weeks, there has been an upsurge in violence in the region, mostly in Northern Darfur and areas near the Chad border, resulting in civilian deaths and displacement and jeopardizing the ability of humanitarian organizations to provide life-sustaining assistance to hundreds of thousands of war-affected people. The violence emanated principally from fighting between Darfur Peace Agreement signatories and non-signatory groups.

In mid-July the faction of the Sudan Liberation Movement/Army (SLM/A) loyal to Minni Arkoi Minawi clashed repeatedly with rebel groups that have not signed the Darfur Peace Agreement, in and near the towns of Birmaza, Muzbat, Umm Sidir and Donkey Hosh in Northern Darfur. Reports indicate that both sides suffered high casualties during the course of the fighting. Allegations have also been made that the Government provided support to Minawi's forces during the attacks and that Chadian forces crossed the border to support military action by rebel groups opposing the Agreement.

Early in July the Minawi faction of the SLM/A also captured Korma town, in Northern Darfur, which had been aligned with the SLM/A faction loyal to Abdelwahid al-Nur, who has refused to sign the Darfur Peace Agreement. In the ensuing weeks, Minawi elements of the SLM/A, often accompanied by armed tribesmen, looted villages and livestock in the area around Korma and Tawila town, killing at least 100 civilians in the process.

As a direct result of the unrest in Northern Darfur, during July 2006 approximately 20,000 internally displaced persons sought refuge in camps for the displaced located north of El Fasher. The new arrivals reported indiscriminate killings, rape and abduction in their villages.

During the same period there was also fighting in Western Darfur, where Government forces and rebels clashed in the Jebel Moon area, and in Southern Darfur, where in one particularly reprehensible incident several hundred militiamen attacked a group of women collecting shelter materials outside Kalma camp, south of Nyala, raping 17 of them.

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July was a harrowing month for humanitarian workers in Darfur as well. According to statistics compiled by the Office for the Coordination of Humanitarian Affairs, there were 36 reported attacks on humanitarian operations during the month, and nine staff members were killed. The attacks included the ambush or hijacking of 19 vehicles transporting humanitarian assistance personnel or materials.

As a result of the fighting and direct targeting of humanitarian workers, only 50 per cent of the civilians affected by the conflict can be reached by humanitarian organizations. The rest, some 1.6 million people, are either inaccessible or can be reached only by putting the lives of aid workers directly at risk. In addition to those operational blockages, only 43 per cent of the $799 million required for the 2006 humanitarian assistance operation in Darfur has been made available.

In the meantime, there has been some progress in implementation of the Darfur Peace Agreement, although some deadlines relating to key aspects of the agreement have been missed. The Government submitted its plan for disarming the Janjaweed to the African Union Mission in the Sudan (AMIS) on 23 June 2006.

In respect of power-sharing, the State assemblies of Northern and Southern Darfur convened emergency sessions to amend their interim state constitutions to allow for increased numbers of ministers and assembly members in accordance with the Darfur Peace Agreement. Minni Arkoi Minawi has been appointed Senior Assistant to the President, and representatives of his faction of the Sudan Liberation Movement/Army have met with Government officials in Khartoum to establish joint committees to address implementation of the Agreement. With regard to the sharing of wealth, the joint assessment mission called for in the Agreement has been initiated.

Nevertheless, implementation of the Darfur Peace Agreement is behind schedule and facing difficulties. Both signatories to the Agreement have violated the ceasefire arrangements, while non-signatories have violated pre-existing ceasefire obligations. Basic aspects of mechanisms for implementing the ceasefire are yet to be clarified, including the relationship between the previous N'Djamena ceasefire commission and the current ceasefire monitoring mechanisms based on the Darfur Peace Agreement. While the plan for disarming the Janjaweed has been submitted by the Government, the Darfur Peace Agreement required the Government to restrict Janjaweed activity to designated areas by 20 July 2006. The violence of the last six weeks indicates that this has not yet been achieved.

In relation to power-sharing, a number of critical deadlines have passed. All senior state and national Government and civil service appointments were to have been finalized and the parties were to have established the Transitional Darfur Regional Authority by 15 June 2006. The same deadline had been set for key actions in the area of wealth-sharing, including the establishment of the Darfur Reconstruction and Development Fund and the Darfur Rehabilitation and Resettlement Commission. A later deadline of 15 July 2006 had been set for establishment of a compensation commission. All the above-mentioned deadlines have been missed.

In that tremendously difficult environment, AMIS has been making efforts to fulfil its obligations emanating from the Darfur Peace Agreement, but it continues to encounter enormous challenges in doing so. The AU mission also faces continued uncertainty with regard to its funding. Despite a relatively positive result from the

Brussels pledging conference of 18 July, information made available by the African Union Commission indicates that there may not be sufficient funding in place to support AMIS for the remainder of its current mandate, which expires on 30 September 2006.

As the Council is aware, supporting implementation of the Darfur Peace Agreement by strengthening AMIS until the transition to a United Nations operation on 1 January 2007 is the central, two-step proposal of my recent report on Darfur (S/2006/591). In response to the Government of Sudan's opposition to that proposal, the United Nations has engaged it in continuous, intensive consultations to address whatever concerns it may have. While five such consultations have taken place, those contacts must now bring about a mutually agreeable solution on the issue.

As part of the process of consultation, I received from President Al-Bashir, on 8 August 2006, a copy of the plan of the Government of Sudan to restore stability and protect civilians in Darfur. A preliminary review of the document does not indicate a willingness on the part of the Government of Sudan to agree to a transition to a United Nations operation in Darfur.

While the Government maintains its firm opposition, the situation on the ground is deteriorating, and the AU mission's ability to function for the remainder of 2006 is being jeopardized by a funding crisis. The Council may wish to give urgent consideration to the preceding issues in order to ensure that the efforts of the international community to put an end to the suffering of the people of Darfur can be brought to a successful conclusion.

I should be grateful if you would bring this letter to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

United Nations S/2006/646

Security Council

Distr.: General
14 August 2006

Original: English

Letter dated 11 August 2006 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 10 July 2006 (S/2006/510), concerning the termination of operations relating to letters of credit raised against the United Nations Iraq Account, has been brought to the attention of the members of the Security Council. They take note of the update of the situation and of the proposed arrangements contained in the note annexed to your letter. The members of the Security Council note with concern that the question of processing of the authentication documents for the arrival of goods in Iraq remains unresolved. They urge the Secretariat to pursue close consultation with the Government of Iraq with a view to finding a final resolution to the remaining issues and to promptly achieving an orderly termination of the programme. They welcome in that regard your intention to ask the Controller to consult further with the relevant Iraqi authorities, and they look forward to the outcome of that meeting. The Members of the Council request that they be kept informed of the progress made.

(*Signed*) Nana **Effah-Apenteng**
President of the Security Council

06-46599 (E) 140806

United Nations S/2006/647

Security Council

Distr.: General
14 August 2006

Original: English

Letter dated 12 August 2006 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to Security Council resolution 1701 (2006), which was adopted on 11 August 2006. As indicated in my statement to the Security Council before the vote, I have undertaken to establish with both parties the exact date and time at which the cessation of hostilities, called for in paragraph 1 of resolution 1701 (2006), will come into effect. It has been agreed by the Prime Minister of Israel and the Prime Minister of Lebanon that the cessation of hostilities will come into effect at 0500 GMT on 14 August 2006.

I have confirmed this arrangement in writing with both Prime Ministers, and outlined our expectations of how all concerned will fulfil their obligations with respect to the cessation of hostilities.

I should be grateful if you would bring this matter urgently to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

06-46605 (E) 140806

United Nations S/2006/648

Security Council

Distr.: General
14 August 2006

Original: English

Draft resolution

The Security Council,

Reaffirming its previous resolutions on Haiti, in particular its resolutions 1658 (2006), 1608 (2005), 1576 (2004) and 1542 (2004), as well as relevant statements by its President,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Haiti,

Welcoming the successful and peaceful political transition to an elected government, as well as the election of a new President and Parliament, which will give Haiti a unique opportunity to break with the violence and political instability of the past,

Welcoming the political agenda of the Government of Haiti on the modernization of state institutions and on wealth creation and the adoption, by the Haitian authorities, of the "Programme d'Apaisement Social" to respond to Haiti's immediate social needs,

Emphasizing that security, rule of law and institutional reform, national reconciliation, and sustainable economic and social development remain key to the stability of Haiti,

Recognizing that MINUSTAH constitutes a key actor in the continuing stabilization of the country and *expressing* its appreciation for its efforts to continue to assist the Government of Haiti to ensure a secure and stable environment,

Reaffirming the importance of appropriate expertise on issues relating to gender in peacekeeping operations and post-conflict peacebuilding in accordance with resolution 1325 (2000), *recalling* the need to address violence against women and children, and *encouraging* the MINUSTAH as well as the Government of Haiti to actively address these issues,

Condemning all violations of human rights in Haiti, *calling on* all Haitians to renounce violence, and recognizing, in this context, that rule of law and respect for human rights are vital components of democratic societies,

Urging the Government of Haiti to undertake, in coordination with the international community, a comprehensive reform of the police, judiciary and correctional systems, to protect and promote human rights and fundamental freedoms, and to end impunity,

06-46859 (E) 150806

Welcoming the Government of Haiti's final approval of its Haitian National Police (HNP) reform plan, and calling upon it to implement that plan as soon as possible,

Recognizing that conditions for conventional disarmament, demobilization, and reintegration do not currently exist in Haiti and that alternative programmes are required to address local conditions, and to further the goal of disarmament, demobilization and reintegration,

Underlining the need for the quick implementation of highly effective and visible labour intensive projects that help to create jobs and deliver basic social services, and *emphasizing* the importance of quick impact projects in the post-electoral phase,

Welcoming the outcomes of the Ministerial Donor Meeting on Haiti, held in Brasilia, on 23 May, as well as those of the International Conference of Donors for the Social and Economic Development of Haiti, held in Port-au-Prince, on 25 July,

Expressing its support for the extension of the Interim Cooperation Framework (ICF) until September 2007, and *urging* the Government of Haiti to continue to make progress in its implementation in close cooperation with all relevant international stakeholders,

Welcoming the re-admittance of Haiti to the Councils of the Caribbean Community (CARICOM), and *calling on* MINUSTAH to continue to work closely with the Organization of the American States (OAS) and CARICOM,

Welcoming also the appointment of a new Special Representative of the Secretary-General in Haiti with overall authority on the ground for the coordination and conduct of all the activities of the United Nations agencies, funds and programmes in Haiti,

Paying tribute to the continued support of the international community, particularly the Core Group, interested stakeholders, donors and regional organizations, for Haiti and MINUSTAH, which remains essential to the achievement of stability and development,

Expressing gratitude to the troops and police personnel of MINUSTAH and to their countries,

Noting that the Haitian people and their government hold the ultimate responsibility for achieving political stability, social and economic development, and law and order,

Determining that the situation in Haiti continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations, as described in section 1 of operative paragraph 7 of resolution 1542 (2004),

1. *Decides* to extend the mandate of MINUSTAH, as contained in its resolutions 1542 (2004), and 1608 (2005), until 15 February 2007, with the intention to renew for further periods;

2. *Welcomes* the Secretary-General's report S/2006/592 of 28 July 2006, and *supports* the priorities set out therein;

3. *Decides* that MINUSTAH will consist of a military component of up to 7,200 troops of all ranks and of a police component of up to 1,951 officers;

4. *Authorizes* MINUSTAH to deploy 16 correction officers seconded from Member States in support of the Government of Haiti to address the shortcomings of the prison system;

5. *Urges* Member States to provide enough well-qualified, particularly francophone, police candidates, to ensure full staffing of MINUSTAH police and, in particular, to provide specific expertise in anti-gang operations, corrections, and other specializations identified as necessary in the report of the Secretary-General;

6. *Urges* the Haitian authorities to complete the run-off legislative, local and municipal elections as soon as feasible, and *calls on* MINUSTAH to provide all appropriate assistance in this regard, consistent with its mandate, and with the support of regional and subregional organizations;

7. *Reaffirms* its call upon MINUSTAH to support the constitutional and political process in Haiti, including through good offices, and to promote national dialogue and reconciliation;

8. *Welcomes* the important contribution provided by MINUSTAH in capacity and institution-building at all levels, and *calls upon* MINUSTAH to expand its assistance to support the Government of Haiti in strengthening state institutions, especially outside of Port-au-Prince;

9. *Underlines* the importance of MINUSTAH's continuing support for the institutional strengthening of the HNP and, in this regard, requests the Haitian authorities, especially the HNP, and MINUSTAH to achieve optimal coordination in order to counter crime and violence, particularly in urban areas, taking into account the needs expressed by the Secretary-General for specialized capacities to enhance MINUSTAH's ability in this field;

10. *Strongly supports* in this regard the Secretary-General's intention to maximize MINUSTAH's crime prevention role, particularly with regard to the threat of gang violence and kidnapping;

11. *Requests* MINUSTAH to reorient its disarmament, demobilization and reintegration efforts, to further that goal, towards a comprehensive community violence reduction programme adapted to local conditions, including assistance for initiatives to strengthen local governance and the rule of law and to provide employment opportunities to former gang members, and at-risk youth, in close coordination with the Government of Haiti and other relevant actors, including the donor community;

12. *Urges* donors engaged in supporting the implementation of the HNP reform by the Haitian authorities to coordinate their activities closely with MINUSTAH;

13. *Reaffirms* MINUSTAH's mandate to provide operational support to the Haitian Coast guard, and *invites* Member States, in coordination with MINUSTAH, to engage with the Government of Haiti in order to address cross-border drugs and arms trafficking control;

14. *Decides* that MINUSTAH, consistent with its existing mandate under resolution 1542 (2004) to assist with the restructuring and maintenance of the rule

of law, public safety and public order, will provide assistance and advice to the Haitian authorities, in consultation with relevant actors, in monitoring, restructuring, reforming and strengthening of the justice sector, including through technical assistance to review all relevant legislation, the provision of experts to serve as professional resources, the rapid identification and implementation of mechanisms to address prison overcrowding and prolonged pre-trial detention and the coordination and planning of these activities, and *invites* the Government of Haiti to take full advantage of that assistance;

15. *Reaffirms* MINUSTAH's human rights' mandate, and *calls on* Haitian authorities to undertake a comprehensive reform in all areas of rule of law and to promote and protect human rights and fundamental freedoms;

16. *Recognizes* the progress achieved thus far in the disbursement of pledged assistance, *welcomes* the pledges of donors, and *notes* the need for these funds to be rapidly disbursed, given that further sustained and generous international assistance will be essential for the Haitian people and their government to succeed in pursuing its programme for social and economic development;

17. *Requests* MINUSTAH to continue to implement quick impact projects;

18. *Calls on* MINUSTAH to enhance its coordination with the UN Country Team and with the various development actors in Haiti in order to ensure greater efficiency in development efforts and to address urgent development problems;

19. *Reaffirms* the need to maintain a proactive communications and public outreach strategy to improve public understanding of the mandate and role of MINUSTAH in Haiti and to deliver messages to the Haitian people directly;

20. *Requests* the Secretary-General to report to the Council on the implementation of MINUSTAH's mandate not later than 31 December 2006;

21. *Decides* to remain seized of the matter.

United Nations S/2006/649

Security Council

Distr.: General
14 August 2006

Original: English

Letter dated 11 August 2006 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to bring the following to your attention:

According to the information posted on the Internet website operated by the terrorist Mujahedin Khalq Organization (MKO), Maryam Rajavi, one of the heads of the MKO, arrived on the European Parliament premises on 5 July 2006 and, other than holding meetings with a number of parliamentarians, used the facilities available on the premises in order to hold a press conference and broadcast it via satellite. A number of the parliamentarians were also present during the said press conference.

The Islamic Republic of Iran, while protesting against the invitation extended to M. Rajavi and the presence of elements belonging to the MKO in the European Parliament and their use of its facilities, underlines that such actions run counter to the will of the international community to fight terrorism and are in contravention of Security Council resolution 1373 (2001), as well as the decisions of the European Community.

The Islamic Republic of Iran expects that the European Parliament will comply fully with its legal and political obligations in the global fight against terrorism by preventing the reoccurrence of similar events.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) M. Javad **Zarif**

06-46669 (E) 150806